SHRI TIRUCHI SIVA: He cannot raise it. ...*(Interruptions)*...

MR. CHAIRMAN: Dr. Maitreyan, please. ...*(Interruptions)*... No asides please. ...*(Interruptions)*... No asides please. ...*(Interruptions)*... Please. ...*(Interruptions)*... Hon. Members, please do not bring extraneous matters into the Question Hour. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

MR. CHAIRMAN: Please resume your places. ...*(Interruptions)*... Allow your colleague to ask the question. ...*(Interruptions)*... Please. ...*(Interruptions)*... Will you please resume your place? ...*(Interruptions)*...

SHRI N.R. GOVINDARAJAR: Sir, this is the first time in the history. ...*(Interruptions)*...*

MR. CHAIRMAN: Please, resume your places. ...*(Interruptions)*...

SHRI A. ELAVARASAN: Sir, allow me to put my question. ...*(Interruptions)*...

SHRI N.R. GOVINDARAJAR: *

MR. CHAIRMAN: Will you please resume your places? Please ...*(Interruptions)*... Do not raise extraneous matters during Question Hour. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, ...*(Interruptions)*...

MR. CHAIRMAN: Are you asking the question? ...*(Interruptions)*... Have you asked the question? ...*(Interruptions)*... No. ...*(Interruptions)*... Please allow the answer to be made. ...*(Interruptions)*... Please do not bring extraneous matters in. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, it is irrelevant. ...*(Interruptions)*...

MR. CHAIRMAN: Please allow the answer to be made. ...*(Interruptions)*... Hon. Members, this is Question Hour. Please do not ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, the question must be expunged. ...*(Interruptions)*...

MR. CHAIRMAN: This is the Question Hour. Please sit down. ...*(Interruptions)*... Please do not bring in extraneous matters.

SHRI TIRUCHI SIVA: Sir, I would submit very humbly. ...*(Interruptions)*...

MR. CHAIRMAN: I would request the hon. Members to resume their places. This is the Question Hour. No extraneous matters will be brought into the proceedings. A question has been asked. Let the hon. Minister reply.

Attack against fishermen by Sri Lankan Navy

*64. SHRI A. ELAVARASAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware that a number of attacks have been made against Tamil Nadu fishermen by the Sri Lankan Navy;

(b) if so, whether Government has taken any action in this regard;

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* Not recorded

(c) whether Government proposes to introduce any ID card scheme to avoid such attacks in future;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): (a) to (e) A Statement is laid on the Table of the House.

Statement

(a) to (b) Yes, Sir. The Government is aware and concerned about the incidents of alleged firing on Indian fishermen/fishing boats by the Sri Lankan Navy. The Government has taken up the matter strongly with the Government of Sri Lanka and the need for the Sri Lankan Navy to act with restraint and for our fishermen to be treated in a human manner has been duly emphasized. In response, the Government of Sri Lanka has denied that their Navy ever enters Indian territorial waters.

To protect fishermen, surveillance and patrolling are regularly being done by the Indian Navy and the Indian Coast Guard in the Indian waters. These include coastal patrols, International Maritime Boundary Line (IMBL) patrol, air patrol and radar surveillance.

(c) to (e) ID cards have been issued by the Fisheries Department of Tamil Nadu to all the fishermen going into the sea in the coastal districts adjoining Sri Lanka. They are required to carry the ID Cards onboard. The fishermen have also been sensitized and directed by the local authorities not to cross the IMBL.

SHRI A. ELAVARASAN: Thank you, Chairman Sir. This is my maiden question.

Sir, Indian fishermen's fishing boats have been attacked and fired at by the Sri Lankan Navy. I would like to know how many Indian fishermen were killed and injured, and boats damaged and destroyed in the process by the Sri Lankan Navy since the surrender of Katchatheevu by India to Sri Lanka.

SHRI SHIVRAJ V. PATIL: Sir, two years back, there was an attack when 13 people were killed and recently, two persons have been killed. I don't have the information pertaining to the period from 1974 up to this time. If you wish, I shall collect that information and give it to you.

SHRI A. ELAVARASAN: Sir, my second supplementary is, whether the Government have provided any relief and rehabilitation package for those poor fishermen families who have suffered on account of indiscriminate and high-handed attack by the Sri Lankan Navy and whether the Central Government has condemned this inhuman activity of the Sri Lankan Army. If so, please provide details and if not, the reasons therefor.

SHRI SHIVRAJ V. PATIL: Sir, this matter was taken up with the Sri Lankan Government and they had said that they would enquire into it. The matter was inquired into and a report has been given. In that report they have said that nothing of that kind has happened. Now, Government of India is examining that report to find out how to deal with that report which says that the Sri Lankan Navy is not responsible.

DR. K. MALAISAMY: Sir, as a person hailing from the fishermen's area, I think I can talk with a little more authority. ...*(Interruptions)*...

MR. CHAIRMAN: Please proceed with the supplementary question.

DR. K. MALAISAMY: Sir, the hon. Home Minister and everybody knows that this is a perennial problem. Any temporary or momentary solution is not going to solve the problem at all. It has a long history. Sir, to supplement my colleague, Mr. Elavarasan, who had talked about Katchatheevu, the whole problem revolves around Katchatheevu. Katchatheevu is an island that is very close to Rameshwaram's fishermen. Originally, it belonged to Raja of Ramnad, then, to the Tamil Nadu Government. So, the island which originally belonged to India was handed over to Sri Lanka during the agreement made in 1974 with the result that fishermen who had been fishing in and around Katchatheevu could not do that now because they have to necessarily go to waters in and around Katchatheevu to eke out their livelihood. It is only there the fishing area exists. The waters of other areas are not deep enough for fishing. Now, as the hon. Minister is very well aware, we need a permanent solution. According to my limited knowledge and study of the process and analysis, it seems to me that unless we restore Katchatheevu to India, the problem will not be solved at all.

MR. CHAIRMAN: Please put your question.

DR. K. MALAISAMY: Sir, I may be permitted one more minute. The entire House shall allow me. ...*(Interruptions)*...

MR. CHAIRMAN: Please put the supplementary question.

DR. K. MALAISAMY: Sir, the Agreement of 1974 handed over Katchatheevu to Sri Lanka, for whatever reasons I don't go into that because my D.M.K. friends will wage a war on me. ...*(Interruptions)*...

MR. CHAIRMAN: Please don't indulge in asides. ...*(Interruptions)*... Please ask the supplementary question. ...*(Interruptions)*...

DR. K. MALAISAMY: Sir, Katchatheevu is to be restored. The very same agreement of 1974 ...*(Interruptions)*...

MR. CHAIRMAN: What is the supplementary? ...*(Interruptions)*... I will not permit the speech. ...*(Interruptions)*... Please ask the supplementary relating to the question. ...*(Interruptions)*...

DR. K. MALAISAMY: I am inclined to ask the hon. Minister whether the Katchatheevu Agreement can be modified in such a way that Katchatheevu can be restored to India.

MR. CHAIRMAN: Is that a question?

DR. K. MALAISAMY: I am asking the question. *...*(Interruptions)*...

MR. CHAIRMAN: Please do not make the statement. ...*(Interruptions)*... This will not go into the record. You please ask the supplementary question relating to the main question.

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*Not recorded

DR. K. MALAISAMY: I will ask in one sentence. I am inclined to ask the Government of India whether they are very particular and all-out to restore Katchatheevu to India by hook or crook?

DR. MURLI MANOHAR JOSHI: Sir, this 'hook or crook' is unparliamentary and needs to be deleted. ...*(Interruptions)*...

MR. CHAIRMAN: I am afraid many things will need to be edited today. ...*(Interruptions)*... Please allow the hon. Minister to respond. ...*(Interruptions)*...

SHRI SHIVRAJ V. PATIL: This matter is being looked into by the Government of India and the Government of Sri Lanka. Fishermen have been going in the areas where probably they are not allowed to go and Katchatheevu is an island around which the fishermen are going and there, on Katchatheevu, certain facilities are given to Indian fishermen. They can go and rest on the island and they can dry their nets also. This is the only facility that is given. But both the Governments, the Government of India and the Government of Sri Lanka, are discussing this matter and trying to find out if permission can be given to fishermen to fish in these areas and trying to enter into an agreement between the two countries. If that agreement is entered into, the problem of allowing the fishermen to fish in particular areas can be solved.

SHRI D. RAJA: Sir, when Katchatheevu Agreement was done, it was promised in Parliament that the traditional rights of the Indian fishermen would be protected. It was a solemn assurance given by the Government of India then. In 2006, a Starred Question was asked in the very same House, Rajya Sabha and MOS, MEA replied to that question in which he has said, "Access to Katchatheevu for the Indian fishermen is not understood to cover the fishing rights. They can have the access to rest, to dry the nets and to participate in the festival of St. Anthony. But it is not understood to cover the right for fishing." Does 'It is not understood' mean it is not understood by the Government of India, or, it is not understood by the Government of Sri Lanka, or, it is not understood by both the Governments, what apparently was the solemn promise of protecting the traditional rights of Indian fishermen, the Tamil fishermen, or what the Government of India is doing? My question is: Even at this point of time whether the Government of India is contemplating to reconsider the Katchatheevu Agreement and renegotiate the Katchatheevu Agreement in the given situation?

SHRI SHIVRAJ V. PATIL: Sir, I have already explained this issue, I have said that Katchatheevu is on the side of the Sri Lankan sea. Now, it is ...*(Interruptions)*...

SHRI D. RAJA: No, no. ...*(Interruptions)*...

MR. CHAIRMAN: Please, let the answer be completed. ...*(Interruptions)*...

SHRI SHIVRAJ V. PATIL: Let me complete. ...*(Interruptions)*...

SHRI D. RAJA: It was conceded to Sri Lanka. ...*(Interruptions)*...

MR. CHAIRMAN: Hon. Member, please. ...*(Interruptions)*...

SHRI D. RAJA: Sir, in the 1976 Agreement, Katchatheevu was conceded to Sri Lanka. When the issue was raised in Parliament, the then Prime Minister, Madam Indira Gandhi, said, "It is of no strategic importance. We can concede to Sri Lanka". That is why the Agreement was done. It was not a part of Sri Lanka. ...*(Interruptions)*...

SHRI SHIVRAJ V. PATIL: Sir, I am explaining that the position of Katchatheevu was clinched by an Agreement which was entered into in 1974. Then, there was another Agreement in 1976. This is a question which could have been answered by the External Affairs Ministry. But, this was sent to us and we are dealing with it. As far as my information goes, Sir, having entered into that Agreement, having this Agreement between the two sovereign countries, we will be bound by the Agreements. But we are not leaving this issue at this stage. We are trying to find out whether the fishermen can be given the facility to go to the areas where the fish is available and fish there. And, for that, the discussions are going on. And if this Agreement is entered into between the two countries, giving a kind of licence to them to fish in particular areas, this can be done. This matter is taken up by the Government of India. It is under the consideration of the Government of India and the Government of Sri Lanka, if Agreement is entered into, what is required can be done.

SHRI D. RAJA: Sir, I am ...*(Interruptions)*...

MR. CHAIRMAN: No, Mr. Raja ...*(Interruptions)*... Only one supplementary please ...*(Interruptions)*...

SHRI D. RAJA: This is not the supplementary, I am repeating the question. ...*(Interruptions)*...

MR. CHAIRMAN: The question has been asked and answered. ...*(Interruptions)*...

SHRI D. RAJA: The hon. Home Minister is a senior member of the Cabinet. Whether MEA is present or not, he is a senior member of the Cabinet. I would like to know whether the Government is contemplating to re-consider and re-negotiate the issue of Katchatheevu island. ...*(Interruptions)*... This is my simple question.

SHRI SU. THIRUNAVUKKARASAR: Thank you, Sir. The killings of Tamil fishermen have become a day-to-day affair now. Every time when it happens, we all MPs from Tamil Nadu raise the issue on the floor of the House and the hon. Ministers give such kind of replies. But, so far no remedy has been given to the affected fishermen. I want to know from the hon. Home Minister whether he knows that the Tamil Nadu Chief Minister has objected to the joint surveillance and patrolling by Indian Navy and Sri Lankan Navy. Whether any agreement has been reached in this regard; or, is it still under consideration? Whether the hon. Minister knows that the Tamil Nadu Chief Minister has given such a statement. My second question is ...*(Interruptions)*...

MR. CHAIRMAN: One question please. ...*(Interruptions)*...

SHRI SU. THIRUNAVUKKARASAR: This is part of that question, Sir. Whether this Government will take steps to get back the Katchatheevu island. The right to fishing is already there in the Agreement. What are you now negotiating with the Sri Lankan Government? Right to fishing is already there in the Agreement itself.

MR. CHAIRMAN: You have asked your question.

SHRI SU. THIRUNAVUKKARASAR: We have to insist on our right to fishing and the right of our fishermen to go to Katchatheevu island for fishing there. Thank you.

SHRI SHIVRAJ V. PATIL: This is exactly what we are trying to do. I have already said that we want to facilitate the fishermen; and that is why we are trying to enter into an agreement with the Sri Lankan Government to facilitate their going to certain areas.

SHRI SU. THIRUNAVUKKARASAR: But, it does not help the fishermen. The Chief Minister himself has objected. ...*(Interruptions)*...

MR. CHAIRMAN: Please do not interrupt. ...*(Interruptions)*... Please do not interrupt. ...*(Interruptions)*...

SHRI SHIVRAJ V. PATIL: Sir, I was trying to submit that this is what the Government of India is trying to do. As far as surveillance and patrolling of that area is concerned, what the Tamil Nadu Chief Minister has told the Government of India, I do not have the information.

MR. CHAIRMAN: Question No.65. ...*(Interruptions)*... Please. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, it is a very important question. ...*(Interruptions)*...

MR. CHAIRMAN: I am afraid, I cannot. ...*(Interruptions)*... I will not exceed the limit of three-supplementary rule. Question No. 65.

Tightening the existing laws for fighting terrorism

*65. PROF. ALKA BALRAM KSHATRIYA:
SHRIMATI SHOBHANA BHARTIA: ††

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in view of terrorist strikes in various parts of the country, Government has decided to have close coordination with States across the country to tighten the existing laws;

(b) if so, the details thereof;

(c) whether Government has decided to extend special assistance to States to strengthen their machinery, system and process; and

(d) if so, the details thereof?

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) and (b) The Unlawful Activities (Prevention) Act, 1967 was amended in 2004 to incorporate various provisions to deal effectively with terrorism and terrorist acts perpetrated by individuals, groups and terrorist gangs and organizations, etc. In addition, provisions to deal with terrorist and subversive activities also exist in various other laws such as The National Security Act, The Prevention of Money Laundering Act, etc. Suggestions have been received, from time to time, from various sources, regarding the need for further strengthening of the laws and other related arrangements to deal with terrorism and terror related offences. These are being examined and reviewed on a continuing basis and appropriate measures will be taken, as found necessary, as a part of this exercise.

††The question was actually asked on the floor of the House by [Shrimati Shobhana Bhartia]